

AUG 19 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL WALSH,

Defendant - Appellant.

No. 07-30307

D.C. No. CR-07-05055-FDB

MEMORANDUM^{*}

Appeal from the United States District Court
for the Western District of Washington
Franklin D. Burgess, District Judge, Presiding

Submitted July 22, 2008^{**}

Before: B. FLETCHER, THOMAS, and WARDLAW, Circuit Judges.

Michael Walsh appeals from his 36-month sentence imposed following his guilty-plea conviction for possession of images of children engaged in sexually

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

explicit conduct, in violation of 18 U.S.C. §§ 2252(a)(4)(B), (b)(2), and 2256. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Walsh contends that the district court procedurally erred at sentencing because it court considered only the punitive purposes of sentencing, and did not consider the other 18 U.S.C. § 3553(a) factors. Walsh also contends that his sentence is substantively unreasonable. We conclude that the district court did not procedurally err, *see United States v. Knows His Gun*, 438 F.3d 913, 918 (9th Cir. 2006), and that the sentence is not substantively unreasonable, *United States v. Carty*, 520 F.3d 984, 993 (9th Cir. 2008) (en banc).

AFFIRMED.